

FOREIGN CLAIMS SETTLEMENT COMMISSION  
OF THE UNITED STATES  
WASHINGTON, D.C. 20579

IN THE MATTER OF THE CLAIM OF

CLARA ROBERTA SOCARRAS

Claim No. CU-4312

Decision No. CU- 6833

Under the International Claims Settlement  
Act of 1949, as amended

Counsel for claimant:

Enrique P. Binn, Esq.

Petition to reopen; Order of Dismissal dated and entered November 7, 1969.

FINAL DECISION

This claim was opened by the Commission because claimant was outside the United States and was unable to return to this country. The claim was dismissed for the reason that claimant failed to assert a claim under Title V of the Act within a reasonable period of time after August 29, 1969, when she returned to the United States.

Subsequently counsel for claimant submitted proof of claimant's United States nationality and evidence concerning her property losses in Cuba.

Upon consideration of the new evidence, the Order of Dismissal of November 7, 1969 is set aside, and this decision is entered.

The Commission now finds that on September 3, 1950 claimant, a United States national since birth, inherited a 1/7 interest in certain real property in Camaguey, Cuba as follows: a house at 16 La Soledad Street; a house at 42 Avenida de la Libertad; a house at 10 San Joaquin St.; a house at 56 Avenida de la Libertad; a house at 17 Republica Street; and a cemetery plot. The Commission further finds that claimant's interests in said real property were taken by the Government of Cuba on August 29, 1969 pursuant to Law 989.

Although the claim was timely filed and whereas it appears that the loss arose subsequent to the close of the period for filing claims of this nature

on their merits claims for losses sustained subsequent to the deadline, so long as consideration thereof does not impede the determination of claims which arose prior to the close of the filing period. (See Claim of Vivian Morales, Claim No. CU-8739.)

The only evidence of record concerning the value of the real property is contained in the translated document submitted by counsel on December 1, 1971. His accompanying letter recites that the document shows the value of the property. On the basis of the entire record and in the absence of evidence to the contrary, the Commission finds that the aggregate value of claimant's 1/7 interests in the real property on August 29, 1969 was \$6,757.14.

The Commission has decided that in certification of losses on claims determined pursuant to Title V of the International Claims Settlement Act of 1949, as amended, interest should be included at the rate of 6% per annum from the date of loss to the date of settlement (see Claim of Lisle Corporation, Claim No. CU-0644), and in the instant case it is so ordered.

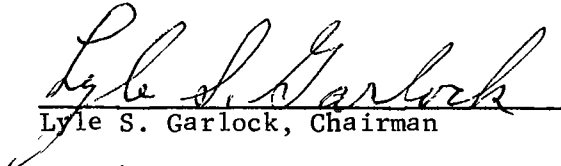
Accordingly, the following Certification of Loss will be entered.

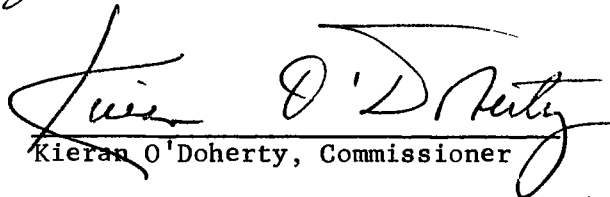
CERTIFICATION OF LOSS

The Commission certifies that CLARA ROBERTA SOCARRAS suffered a loss, as a result of actions of the Government of Cuba, within the scope of Title V of the International Claims Settlement Act of 1949, as amended, in the amount of Six Thousand Seven Hundred Fifty-Seven Dollars and Fourteen Cents (\$6,757.14) with interest thereon at 6% per annum from August 29, 1969 to the date of settlement.

Dated at Washington, D. C.,  
and entered as the Final  
Decision of the Commission

JUN 30 1972

  
Lyle S. Garlock, Chairman

  
Kieran O'Doherty, Commissioner

The statute does not provide for the payment of claims against the Government of Cuba. Provision is only made for the determination by the Commission of the validity and amounts of such claims. Section 501 of the statute specifically precludes any authorization for appropriations for payment of these claims. The Commission is required to certify its findings to the Secretary of State for possible use in future negotiations with the Government of Cuba.